

REMARKS

Claims 1-10, 17-23 and 26-31 are pending in this application. By this Amendment, claims 1, 17 and 26 are amended. Support for the amendments can be found, for example, on page 52, line 2, through page 54, line 9, and page 56, lines 3-24, of the original specification. No new matter is added. Applicants respectfully request reconsideration and prompt allowance of the pending claims in view of at least the following remarks.

Applicants appreciate the courtesies shown to Applicants' representative by Examiners Kemmerle and Griffin in the October 13, 2009 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

The Office Action does not object to or reject claims 26-31. Thus, Applicants consider that claims 26-31 are allowable.

The Office Action rejects claims 1-4, 6, 8, 9 and 17-22 under 35 U.S.C. §103(a) over U.S. Patent No. 4,982,486 (Otagawa) in view of U.S. Patent No. 6,260,395 (Webster). Applicants respectfully traverse the rejection.

Webster in view of Otagawa fails to disclose and would not have rendered obvious, "controlling a degree of a radius of curvature of a bend in the resin molding in an axial bending process for the resin molding when the resin molding passes through the gripping portion by changing a position of the gripping portion to a position not along the constant extrusion direction," as recited in independent claims 1 and 17.

The Office Action acknowledges that Otagawa fails to disclose an axial bending process that is performed by gripping a resin molding in a bending apparatus and changing a position of the gripping portion to a position not along the constant extrusion direction (Office Action, page 3). The Office Action alleges that Webster cures Otagawa's deficiency. Applicants assert that Webster does not.

As discussed during the October 13, 2009 personal interview, and agreed by Examiners Kemmerle and Griffin, the radius of Webster's bend die 22 determines the radius of curvature of the workpiece T and not Webster's reciprocally movable second pressure applicator 50 in combination with the tube contacting die 52. Because Webster's bend die 22 is stationary and does not change to a position not along the constant extrusion direction, the bend die 22 cannot reasonably constitute the claimed "gripping portion" that controls the radius of curvature.

During the interview, Examiner Kemmerle alleged that the action of Webster's second pressure applicator 50 and the tube contacting die 52 "controls" whether Webster's workpiece T has an infinite radius of curvature or the radius of curvature of the bend die 22 and therefore "controls" the radius of curvature. Regardless of the validity of this allegation, controlling whether Webster's workpiece T is straight or bent according to the radius of curvature of the bend die 22 does not constitute "controlling a degree of a radius of curvature . . . by changing a position of the gripping portion to a position not along the constant extrusion direction" because "controlling" the workpiece T to be bent or not bent does not constitute controlling a degree of a radius of curvature.

Therefore, even considering Examiner Kemmerle's interpretation of Webster during the October 13, 2009 personal interview, Webster still fails to cure the deficiency of Otagawa. Therefore, Otagawa in view of Webster fails to disclose and would not have rendered obvious, "controlling a degree of a radius of curvature of a bend in the resin molding in an axial bending process for the resin molding when the resin molding passes through the gripping portion by changing a position of the gripping portion to a position not along the constant extrusion direction," as recited in independent claims 1 and 17. Thus, claims 1 and 17 are allowable over Otagawa in view of Webster.

Further regarding claim 17, the Office Action acknowledges that Otagawa discloses that a first body is formed followed by passing the body through an extrusion die, and the resulting body after passing through the extrusion die is bent, which is different than the order of the steps recited in claim 17 (Office Action, page 4). The Office Action alleges that it would have been obvious to change the order of the steps.

Applicants previously asserted that Examiner Kemmerle failed to consider that a workpiece that is bent in a longitudinal direction cannot pass through an extrusion die unless the workpiece is bent by a constant radius of curvature and the extrusion die has a passage hole with the same radius of curvature. Because Otagawa fails to disclose that the workpiece has a constant radius of curvature or that the extrusion die has a passage hole with the same radius of curvature, the order of steps disclosed in Otagawa cannot be changed. In response, the pending Office Action alleges that specific evidence is required to support the allegation that a bent workpiece cannot fit through a non-bent extrusion die passage hole.

As discussed during the October 13, 2009 personal interview, it is clear based on common geometric knowledge that Otagawa's front sash molding illustrated in Fig. 2 cannot fit through an extrusion die passage hole at least because the front sash molding has a bent portion surrounded by two straight portions. The Office Action alleges that "[a] bent workpiece, especially one with such a short bent area and large radius of curvature as shown in Otagawa may typically be passed through a static hole" (Office Action, page 7). However, the Office Action fails to consider that an extrusion die does not constitute a "static hole." Nor does the Office Action provide evidence in Otagawa that would support the Office Action's conclusion and refute the common knowledge that bent workpieces cannot fit through straight extrusion die passage hole.

Accordingly, the allegation that it would have been obvious to change the order of steps in Otagawa to disclose the order as recited in claim 17 is unreasonable. Additionally,

Webster fails to cure this additional deficiency of Otagawa. For this additional reason, claim 17 is allowable over Otagawa in view of Webster.

Claims 2-4, 6, 8, 9 and 18-22 are also allowable over Otagawa in view of Webster for at least the same reasons as claims 1 and 17, as well as for the additional features the claims recite. Applicants respectfully request withdrawal of the rejection.

The Office Action rejects claims 10 and 23 under 35 U.S.C. §103(a) over Otagawa in view of Webster and in further view of U.S. Patent No. 6,739,599 (Uchimura). Applicants respectfully traverse the rejection.

This rejection is based on the allegation that Otagawa in view of Webster discloses or would have rendered obvious all of the features of claims 1 and 17. Because, as discussed above, Otagawa in view of Webster does not disclose and would not have rendered obvious all of the features of claims 1 and 17, the rejection is improper. Applicants respectfully request withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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